

**COURT OF APPEAL  
STATE OF CALIFORNIA  
THIRD APPELLATE DISTRICT**

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**Court Minutes**

**November 12, 2007**

There are no minutes for this date.

**November 13, 2007**

At 9:30 a.m., the court met in the Library and Courts Building to begin its court calendar session. Present were Scotland, Presiding Justice; Blease, Associate Justice; Cantil-Sakauye, Associate Justice; and Haskett, bailiff.

**C050299      BURDETTE v. CARRIER CORPORATION et al.**

Cause called. Irene C. Keyse-Walker argued for appellants. Charity Kenyon argued for respondent. Cause submitted.

At 10:00 a.m., the court recessed. At 10:05 a.m., the court reconvened with Blease, Associate Justice; Davis, Associate Justice; and Robie, Associate Justice.

**C052802      CASSIDY v. CASSIDY**

Cause called. Bonita K. Cassidy argued as appellant in pro per. Lindsay S. Harrington argued for respondent. Cause submitted.

At 10:15 a.m., the court recessed. At 11:30 a.m., the court reconvened with Scotland, Presiding Justice; Butz, Associate Justice; and Cantil-Sakauye, Associate Justice.

**C053293      MARANATHA CORRECTIONS et al. v. CALIFORNIA DEPARTMENT OF  
CORRECTIONS AND REHABILITATION et al.**

**C053913      MARANATHA CORRECTIONS et al. v. CALIFORNIA DEPARTMENT OF  
CORRECTIONS AND REHABILITATION et al.**

Cause called. George C. Harris argued for appellants. Jeffrey R. Vincent, Deputy Attorney General, argued for respondents. Cause submitted.

At 12:00 p.m., the court recessed. At 2:00 p.m., the court reconvened with Davis, Associate Justice; Raye, Associate Justice; and Robie, Associate Justice.

**C053752      JAMES v. NIEMANN et al.**

Cause called. Timothy W. Pemberton argued for appellant. Gina E. Och argued for respondents. Cause submitted.

At 2:07 p.m., the court recessed. At 2:11 p.m., the court reconvened with Davis, Associate Justice; Robie, Associate Justice; and Butz, Associate Justice.

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Hull, J.

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**Court Minutes**

**November 13, 2007, continued**

- C054280      THE PEOPLE v. HERBERT      (Certified for Publication)**  
The judgment of conviction is reversed and the case is remanded to the trial court with directions to set aside defendant's guilty plea, reinstate the original charges, and conduct such further proceedings as may be appropriate.  
RAYE, J.  
We Concur: Davis, Acting P.J.  
Robie, J.
- C054446      In re ANGEL S.; SACRAMENTO COUNTY (Certified for Publication)**  
**DEPARTMENT OF HEALTH AND HUMAN SERVICES v. INEZ H.**  
... The opinion in the above-entitled matter filed on October 23, 2007, was not certified for publication. For good cause, it now appears that the opinion, as modified herein, should be certified for publication in the Official Reports, and it is so ordered.  
BY THE COURT:  
DAVIS, Acting P.J.  
Robie, J.  
Butz, J.
- C055079      In re KIMBERLEE M.; BUTTE COUNTY      (Not for Publication)**  
**DEPARTMENT OF EMPLOYMENT AND SOCIAL SERVICES v. NANCY G.**  
The juvenile court's orders are affirmed.  
HULL, J.  
We Concur: Scotland, P.J.  
Cantil-Sakauye, J.

**November 14, 2007**

At 9:30 a.m., the court met in the Library and Courts Building to begin its court calendar session. Present were Scotland, Presiding Justice; Morrison, Associate Justice; Butz, Associate Justice; and Harper, bailiff.

- C053377      MEINHARD v. CREASY**  
Cause called. Janice Mazur argued for appellant. Thomas Watson argued for respondent. Cause submitted.

At 9:59 a.m., the court recessed. At 10:00 a.m., the court reconvened.

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**Court Minutes**

**November 14, 2007, continued**

**C053232 WADE et al. v. STARK et al.**

**C054415 WADE et al. v. STARK et al.**

Cause called. Herman Franck argued for appellants. Dewey V. Harpainter argued for respondents. Cause submitted.

At 10:34 a.m., the court recessed. At 10:40 a.m., the court reconvened.

**C052634 THE PEOPLE v. POTTER**

**C053349 THE PEOPLE v. CEJAS**

Cause called. Charles M. Bonneau, court appointed counsel, argued for appellant. Susan J. Orton, Deputy Attorney General, argued for respondent. Cause submitted.

At 11:01 a.m., the court recessed. At 2:01 p.m., the court reconvened with Scotland, Presiding Justice; Butz, Associate Justice; and Cantil-Sakauye, Associate Justice.

**C053059 MEYERS v. BURLINGTON NORTHERN SANTA FE, etc.; FARRAR, etc.**

Cause called. Ruel Walker argued for appellant. Daniel J. McCarthy argued for respondent. Cause submitted.

At 2:42 p.m., the court recessed. At 2:44 p.m., the court reconvened with Blease, Associate Justice; Butz, Associate Justice; and Cantil-Sakauye, Associate Justice.

**C049394 THE PEOPLE v. POPE**

Cause called. Johnny L. Griffin III argued for appellant. David Andrew Eldridge, Deputy Attorney General, argued for respondent. Cause submitted.

At 2:55 p.m., the court recessed until November 16, 2007, at 9:30 a.m.

**C050742 THE PEOPLE v. KLEINSASSER (Not for Publication)**

The judgment (order extending the commitment) is affirmed.

RAYE, J.

We Concur: Scotland, P.J.

Davis, J.

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**Court Minutes**

**November 14, 2007, continued**

- C051704      THE PEOPLE v. PRENTICE      (Not for Publication)**  
Defendant's conviction in count 2 ... is reversed and the trial court is directed to enter a dismissal of that count. In all other respects, the judgment is affirmed.  
CANTIL-SAKAUYE, J.  
We Concur:    Blease, Acting P.J.  
                     Sims, J.
- C052356      THE PEOPLE v. LARMOUR      (Not for Publication)**  
The judgment is affirmed  
ROBIE, J.  
We Concur:    Nicholson, Acting P.J.  
                     Hull, J.
- C053703      THE PEOPLE v. BROWN      (Not for Publication)**  
The judgment (commitment order of August 29, 2006) is affirmed  
BUTZ, J.  
We Concur:    Sims, Acting P.J.  
                     Hull, J.
- C053704      THE PEOPLE v. MCCOY      (Not for Publication)**  
The judgment is affirmed  
SIMS, Acting P.J.  
We Concur:    Hull, J.  
                     Butz, J.
- C053807      THE PEOPLE v. YOUNGBLOOD      (Not for Publication)**  
The superior court is directed to amend the abstract of judgment to reflect defendant's sentence in case No. 02-571 is a concurrent term of five years. The superior court shall forward the amended abstract of judgment to the Department of Corrections and Rehabilitation. The judgment is affirmed.  
NICHOLSON, J.  
We Concur:    Blease, Acting P.J.  
                     Davis, J.
- C054054      THE PEOPLE v. WHITE      (Not for Publication)**  
The judgment is affirmed.  
RAYE, J.  
We Concur:    Scotland, P.J.  
                     Cantil-Sakauye, J.

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**Court Minutes**

**November 14, 2007, continued**

- C054774      THE PEOPLE v. ADAMS      (Not for Publication)**  
The judgment is affirmed.  
RAYE, J.  
We Concur: Davis, Acting P.J.  
Butz, J.
- C052755      GREER v. COUNTY OF      (Not for Publication)**  
**C053312      SACRAMENTO et al.**  
The judgment is affirmed. Costs on appeal are awarded to defendants.  
NICHOLSON, J.  
We Concur: Scotland, P.J.  
Butz, J.
- C053988      MAGARRELLE v. GARRETT      (Not for Publication)**  
**ELECTRONICS, Inc.**  
The judgment is affirmed. Garrett is awarded costs on appeal.  
MORRISON, J.  
We Concur: Davis, Acting P.J.  
Hull, J.
- C054610      SILLER v. FREIDBERG LAW      (Not for Publication)**  
**CORPORATION et al.**  
The order of dismissal is affirmed. The defendants shall recover their costs on appeal.  
SIMS, Acting P.J.  
We Concur: Davis, J.  
Robie, J.
- C055402      BOURQUEZ et al. v. THE SUPERIOR      (Not for Publication)**  
**COURT OF SACRAMENTO COUNTY;**  
**THE PEOPLE**  
The petition for a writ of mandate or prohibition is denied. The alternative writ and the stay of proceedings, having served their purposes, are discharged.  
MORRISON, J.  
We Concur: Sims, Acting P.J.  
Cantil-Sakauye, J.

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**Court Minutes**

**November 14, 2007, continued**

**C057270      SHADE et al. v. UNITED HEALTH SYSTEMS, INC.**  
BY THE COURT:  
Appellant's request for reconsideration is denied.  
SCOTLAND, P.J.

**November 15, 2007**

**C054838      BREGANTE v. BREGANTE et al.                      (Not for Publication)**  
The judgment is affirmed. Costs on appeal are awarded to defendant  
Karen G. Bregante.  
NICHOLSON, Acting P.J.  
We Concur: Hull, J.  
Cantil-Sakauye, J.

**November 16, 2007**

At 9:30 a.m., the court met in the Library and Courts Building to begin its  
court calendar session. Present were Scotland, Presiding Justice; Sims,  
Associate Justice; Raye, Associate Justice; and Horner, bailiff.

**C045727      MCGARRY v. SAX et al.**  
Cause called. Daniel McGarry argued for appellant in pro per. Candace  
M. Pagliero argued for respondents. Cause submitted.

At 10:02 a.m., the court recessed. At 10:06 a.m., the court reconvened  
with Sims, Associate Justice; Hull, Associate Justice; and Butz,  
Associate Justice.

**C050586      THE PEOPLE v. NORMAN**  
Cause called. Steven A. Torres, court appointed counsel, argued for  
appellant. Susan J. Orton, Deputy Attorney General, argued for respondent.  
Cause submitted.

At 10:32 a.m. court recessed, until November 19, 2007 at 9:30 a.m.

**C051378      THE PEOPLE v. MARBLE                      (Not for Publication)**  
The appeal is dismissed.  
BUTZ, J.  
I Concur: Cantil-Sakauye, J.  
I respectfully dissent:  
Scotland, P.J.